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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,143	03/03/2004	Paul A. Underbrink	SIRF.P226.US.C1 4855	
7590 07/08/2004			EXAMINER	
Shemwell Gregory & Courtney LLP 4880 Stevens Creek Blvd., Suite 201			ARTHUR JEANGLAUDE, GERTRUDE	
San Jose, CA 95129			ART UNIT PAPER NUMBER	
			3661	

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Responsive to communication(s) filed on 03 March 2004.  2a		Application No.	Applicant(s)			
Certrude Arthur-Jeanglaude   3661		10/792,143	UNDERBRINK ET AL.			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  • Educations of a terraphy to available under the provisions of 3 CFR 1.130(a). In no event, however, may a neply be timely filed  • Education of the princy of the princy of the principle of the prin	Office Action Summary	Examiner	Art Unit			
Period for Reply  A SHORTENEO STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - state SIX (6) MONTHS from the making date of the communication of Cort.  - state SIX (6) MONTHS from the making date of the communication.  - If the period for reply septical date is best than three values of the state of t						
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of the may be available under the provision of 37 CFR 1.136(a). In no event, however, may a reply be linely filed after SIX (a) MCNT15 from the noticing duto of this communication.  If NO prod for reply is pecified above, the maximus tabletoy period stagely within the statutory maximum of thisty (30) days will be considered fronty.  If NO prod for reply is pecified above, the maximus tabletoy period stagely and will except SIX (b) MCNT15 from the making date of this communication.  Fallows to reply within the star or actended pointed for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 13).  Any reply received by the Official or the nine has made after the making date of this communication, even if timely filed, may reduce any examine polent form adjustment. See 57 CFR 1.704(b).  Status  1)  Responsive to communication(s) filed on 03 March 2004.  2a)  This action is FINAL. 2b) This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 20.28 and 30 is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  5)  Claim(s) is/are allowed.  6)  Claim(s) is/are allowed.  6)  Claim(s) is/are allowed.  7)  Claim(s) is/are rejected to.  8)  Claim(s) 20.28 and 30 are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The drawing(s) filed on priority documents have been received in Application No	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
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## **DETAILED ACTION**

## **Election/Restrictions**

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claim 20, drawn to A GPS receiver, classified in class 701, subclass 213.
- II. Claim 28, drawn to a method for tracking a remote object, classified in class 342, subclass 357.07. The inventions are distinct, each from the other because of the following reasons:
- III. Claim 30, drawn to a computer readable medium containing an executable computer program for use in a digital processing system, classified in class 701, subclass 36.

The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions A GPS receiver, a method of tracking a remote object and a computer readable medium containing an executable computer program for use in a digital processing system .

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Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II or III, restriction for examination purposes as indicated is proper.

A telephone call was made to John P. O'Banion on 6/25/04 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (703) 308-7564. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

June 25, 2004

GERTRUDE A. JEANGLAUDE